

# **Exhibit 1**

**Excerpts from the June 30, 2020  
Deposition of Owen Astrachan  
REDACTED**

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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5 ORACLE USA, INC., et al.,

6 Plaintiffs,

7 vs.

Case No.

2:10-cv-00106-LRH-VCF

8 RIMINI STREET, INC., et al.,

9 Defendants.

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14 VIDEO-RECORDED DEPOSITION OF OWEN ASTRACHAN, PH.D.

15 REMOTE ZOOM PROCEEDING

16 Raleigh, North Carolina

17 Tuesday, June 30, 2020

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23 REPORTED BY:

24 LESLIE ROCKWOOD ROSAS, RPR, CSR 3462

25 Pages 1 - 281

Job No. 4135801

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<p>1 The time is 9:42 p m</p> <p>2 Q BY MR SMITH: Okay Professor, last couple</p> <p>3 questions</p> <p>4 Do you agree that RAM copies are created each</p> <p>5 time Rimini use the PeopleSoft JD Edwards or Oracle 18:42:21</p> <p>6 database software?</p> <p>7 MR VANDEVELDE: Objection Vague as to "use "</p> <p>8 THE WITNESS: As a matter of -- from a technical</p> <p>9 point of view, using software requires making a copy in</p> <p>10 RAM 18:42:39</p> <p>11 Q BY MR SMITH: Okay And in your opinion, can a</p> <p>12 RAM copy ever be a violation of the Injunction?</p> <p>13 MR VANDEVELDE: Objection Vague, calls for a</p> <p>14 legal conclusion</p> <p>15 THE WITNESS: What I've stated before is that 18:42:53</p> <p>16 the Injunction talks about making software updates for</p> <p>17 the benefit of a particular client And when that copy</p> <p>18 in RAM is made for the benefit of the client, I don't</p> <p>19 believe the Injunction is implicated</p> <p>20 Q BY MR SMITH: Okay I want you to assume for 18:43:12</p> <p>21 me that there is a PeopleSoft software environment on a</p> <p>22 computer that is not the customer's own computer system</p> <p>23 Can you assume that for me?</p> <p>24 A Where is this PeopleSoft? It's not on the</p> <p>25 client's computer? 18:43:31</p> <p style="text-align: right;">Page 274</p>	<p>1 Street" -- "Rimini Street shall not reproduce, prepare</p> <p>2 derivative works from, or use PeopleSoft software on,</p> <p>3 with, or to any computer systems other than a specific</p> <p>4 licensee's own computer systems."</p> <p>5 And so in your hypothetical, if I am 18:45:12</p> <p>6 reproducing, preparing derivative works from, or using on</p> <p>7 a different computer system, then again, it seems to me</p> <p>8 that paragraph 5 perhaps would be implicated.</p> <p>9 Q. Okay. Last couple of questions.</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 MR. SMITH: Understood. 18:46:24</p> <p style="text-align: right;">Page 276</p>
<p>1 Q It's just not on their own computer system</p> <p>2 A Well, it has to be somewhere</p> <p>3 Q It's not on their computer system</p> <p>4 A It's on someone else's computer system?</p> <p>5 Q Yeah 18:43:42</p> <p>6 A Okay There's a PeopleSoft environment on a</p> <p>7 computer system that is not the client's computer system</p> <p>8 Q Right</p> <p>9 Could a RAM copy of that PeopleSoft software</p> <p>10 environment violate the Injunction, in your opinion? 18:43:55</p> <p>11 MR VANDEVELDE: Objection Vague A copy of</p> <p>12 what?</p> <p>13 THE WITNESS: I'd just like to go through the</p> <p>14 Injunction, and what it states is, for example, in</p> <p>15 paragraph 5: "Any computer systems other than a specific 18:44:17</p> <p>16 licensee's own computer systems " That's in paragraph 5</p> <p>17 The other paragraphs don't use the term</p> <p>18 "computer systems," but use the term "for the benefit of</p> <p>19 another licensee "</p> <p>20 So it seems to me that your hypothetical is in 18:44:36</p> <p>21 regard to paragraph 5 Would you like me to address it</p> <p>22 in something -- in relation to something other than</p> <p>23 paragraph 5 of the Injunction?</p> <p>24 Q BY MR SMITH: No, no</p> <p>25 A So what the Injunction states is: "Rimini 18:44:52</p> <p style="text-align: right;">Page 275</p>	<p>1 I have no further questions for you Thank you</p> <p>2 for your patience today I'm not sure if we're going to</p> <p>3 do a redirect</p> <p>4 MR VANDEVELDE: Yeah Are you ready to do it</p> <p>5 right now? It's going to be short Or do you want to 18:46:35</p> <p>6 take a break, Ben?</p> <p>7 MR SMITH: No, we're fine Go ahead</p> <p>8 MR VANDEVELDE: Okay Let me just get ready</p> <p>9</p> <p>10 EXAMINATION 18:46:46</p> <p>11 Q BY MR VANDEVELDE: Okay Professor Astrachan,</p> <p>12 this morning Mr Smith asked you the following question,</p> <p>13 and you gave the answer I'm reviewing -- I'm reading</p> <p>14 from the rough transcript we provided</p> <p>15 You were asked the question: "Fair enough Do 18:47:01</p> <p>16 you understand that Rimini's business typically involves</p> <p>17 the profession of updates to many customers?"</p> <p>18 I believe, although I invite Mr Smith to</p> <p>19 comment on it, that the word used was actually</p> <p>20 "provision" of updates to many customers 18:47:17</p> <p>21 I objected</p> <p>22 And then you answered: "I am not an expert on</p> <p>23 Rimini's third-party support I have come to understand</p> <p>24 how that support works as part of this case, and I</p> <p>25 understand that Rimini would likely have more than one 18:47:29</p> <p style="text-align: right;">Page 277</p>

1 STATE OF CALIFORNIA ) ss:

2 COUNTY OF MARIN )

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4 I, LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462, do  
5 hereby certify:

6 That the foregoing deposition testimony was  
7 taken before me at the time and place therein set forth  
8 and at which time the witness was administered the oath;

9 That testimony of the witness and all objections  
10 made by counsel at the time of the examination were  
11 recorded stenographically by me, and were thereafter  
12 transcribed under my direction and supervision, and that  
13 the foregoing pages contain a full, true and accurate  
14 record of all proceedings and testimony to the best of my  
15 skill and ability.

16 I further certify that I am neither counsel for  
17 any party to said action, nor am I related to any party  
18 to said action, nor am I in any way interested in the  
19 outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name  
21 this 2nd day of July, 2020.

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25 LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462